

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1630

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FRANZ.

4674L.01P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 226.030, RSMo, and to enact in lieu thereof one new section relating to the highways and transportation commission.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 226.030, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 226.030, to read as follows:

226.030. 1. The highways and transportation commission shall consist of six members, who shall be appointed by the governor, by and with the advice and consent of the senate, not more than three thereof to be members of the same political party. **Not more than one person shall be appointed upon said commission from the same congressional district, and no person shall be appointed as a commissioner who is not a citizen of the United States. In the event a member of the commission is found by unanimous vote of the other commissioners to have moved such commissioner's residence from the congressional district from which such commissioner was appointed, the office of such commissioner shall be forfeited and considered vacant.** Each commissioner shall be a taxpayer and resident of state for at least five years prior to his appointment. Any commissioner may be removed by the governor if fully satisfied of his inefficiency, neglect of duty, or misconduct in office. Commissioners appointed pursuant to this section shall be appointed for terms of six years, except as otherwise provided in this subsection. Upon the expiration of each of the foregoing terms of these commissioners a successor shall be appointed for a term of six years or until his successor is appointed and qualified which term of six years shall thereafter be the length of term

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 of each member of the commission unless removed as above provided. **Notwithstanding any**
17 **provision of law to the contrary, any change in the composition or configuration of**
18 **congressional districts in this state shall not prevent a member from completing his or her**
19 **term.** The members of the commission shall receive as compensation for their services
20 twenty-five dollars per day for the time spent in the performance of their official duties, and also
21 their necessary traveling and other expenses incurred while actually engaged in the discharge of
22 their official duties. Members whose terms otherwise expire December 1, 2003, shall serve with
23 terms expiring March 1, 2004, and new members or the members reappointed shall be appointed
24 for terms expiring March 1, 2005; a member whose term otherwise expires December 1, 2005,
25 shall serve with a term expiring March 1, 2007; a member whose term otherwise expires
26 December 1, 2007, shall serve with a term expiring March 1, 2009; and one member whose term
27 otherwise expires October 13, 2007, shall serve with a term expiring March 1, 2007; and one
28 member whose term otherwise expires October 13, 2007, shall serve with a term expiring March
29 1, 2009. If a vacancy occurs in any term of a commissioner due to death, resignation, or
30 removal, a successor shall be appointed for only the remainder of the unexpired term.

31 2. The two members of the commission, one each from opposing political parties, who
32 have the most seniority in commission service shall serve as commission leadership with one
33 member as chair and the other member as vice chair, respectively, for terms ending March 1,
34 2005. The commission shall elect one of the members as chair and the other as vice chair.
35 Effective March 1, 2005, the commission shall elect the two members of the commission, one
36 from each opposing political party who has the most seniority in commission service, who shall
37 serve as commission leadership with one member as chair and the other member as vice chair,
38 respectively, for one year. At the end of such year, the members currently serving as chair and
39 vice chair shall have the option to rotate positions, and the member currently serving as vice
40 chair may serve as chair, and vice versa. Thereafter, commission leadership shall continue to
41 rotate accordingly with the two members from opposing political parties who have the most
42 seniority in terms of commission service being elected by the commission to serve as
43 commission leadership. If one of the commission leadership offices becomes vacant due to
44 death, resignation, removal, or refuses to serve before the one-year leadership term expires, the
45 commission shall elect one of its members that is of the same political party as the vacating
46 officer to serve the remainder of the vacating officer's leadership term. Such election shall not
47 prohibit that member from later serving as chair and vice chair when such member's seniority
48 in commission service qualifies him or her for those offices as provided in this subsection.

49 3. No more than one-half of the members of the commission shall be of the same
50 political party. The selection and removal of all employees of the department of transportation
51 shall be without regard to political affiliation.

52 4. The present members of the commission shall continue to serve as members of the
53 commission for the remainder of the terms for which they were appointed, except as provided
54 in subsection 1 of this section.

55 5. Any member reappointed shall only be eligible to serve as chair or vice-chair during
56 the final two years of such member's reappointment.

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